

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**JASON SCHMITZ,  
JACKIE BAILEY,  
CHARLES E. FRAZIER, III,  
ALLISON CRANE HARGRAVES,  
COREY ALLEN JONES,  
THOMAS YOUNG,  
and OTHERS SIMILARLY  
SITUATED,  
Plaintiffs,**

**VS.**

**LIBERTY MUTUAL INSURANCE  
COMPANY,  
Defendant.**

§ **CIVIL ACTION NO. 4:08-cv-02945**

§

§

§

§

§

§

§

§

§

§

§

§

§

§

**COLLECTIVE ACTION REQUESTED**

**JURY TRIAL DEMANDED**

**NOTICE OF SETTLEMENT**

The parties have reached a settlement, and expect to file their Joint Stipulation of Settlement and Release of Collective/Class Claims no later than Tuesday, December 1, 2009. The parties will also file their Motion for Preliminary Approval of FLSA Collective/Class Action no later than Friday, December 4, 2009.

Respectfully submitted,

**STARZYK & ASSOCIATES, P.C.**

/Michael A. Starzyk/

**Michael A. Starzyk**

Attorney-In-Charge

TBA # 00788461

Southern District of Texas Bar No.16926

**April L. Walter**

TBA # 24052793

Southern District of Texas Bar No. 713287

10200 Grogan's Mill Road

Suite 300

The Woodlands, Texas 77380

(281) 364-7261

(281) 364-7533 – Facsimile

**J.P. HUGHES & CO. ATTORNEYS**

/J.P. Hughes, Jr./

**J.P. Hughes, Jr.**

TBA # 24048965

Southern District of Texas Bar No. 943894

1300 Access Road, Suite 100

Oxford, Mississippi 38655

T: [662] 234-6080

F: [662] 234-6042

**HERMAN, HERMAN, KATZ & COTLAR, L.L.P.**

/Russ M. Herman /

**Russ M. Herman**

Eastern District of Louisiana Bar No. 6819

**Stephen J. Herman**

Eastern District of Louisiana Bar No. 23129

**James C. Klick**

Eastern District of Louisiana Bar No. 7451

TBA # 00790141

**John S. Creevy**

Eastern District of Louisiana Bar No. 30879

820 O'Keefe Avenue

New Orleans, LA 70113

T: [504] 581-4892

F: [504] 561-6024

**ATTORNEYS FOR PLAINTIFFS, JASON  
SCHMITZ, JACKIE BAILEY, CHARLES E.  
FRAZIER, III, ALLISON CRANE  
HARGRAVES, COREY ALLEN JONES,  
THOMAS YOUNG, and OTHERS SIMILARLY  
SITUATED**

**CERTIFICATE OF SERVICE**

I certify that on this 25<sup>th</sup> day of November, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Douglas R. Hart  
Geoffrey D. DeBoskey  
Jason D. Bosch  
Dana Finkey  
Katherine A. Roberts  
Sheppard, Mullin, Richter & Hampton, L.L.P.  
333 South Hope Street, 48<sup>th</sup> Floor  
Los Angeles, CA. 90071-1448  
Facsimile: 213-620-1398

Teresa S. Valderrama  
Jackson Lewis L.L.P.  
Wedge International Tower  
1415 Louisiana, Suite 3325  
Houston, TX 77002  
Facsimile: 713-650-0405

/Michael A. Starzyk/  
Michael A. Starzyk